

111TH CONGRESS
1ST SESSION

S. 1725

To amend the Foreign Intelligence Surveillance Act of 1978 to remove retroactive immunity protection for electronic communications service providers that participated in the Terrorist Surveillance Program and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2009

Mr. DODD (for himself, Mr. FEINGOLD, Mr. LEAHY, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Foreign Intelligence Surveillance Act of 1978 to remove retroactive immunity protection for electronic communications service providers that participated in the Terrorist Surveillance Program and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Retroactive Immunity
5 Repeal Act”.

1 **SEC. 2. REPEAL OF CERTAIN PROTECTIONS FOR ELEC-**
2 **TRONIC COMMUNICATION SERVICE PRO-**
3 **VIDERS.**

4 (a) REPEAL.—The Foreign Intelligence Surveillance
5 Act of 1978 (50 U.S.C. 1801 et seq.), as amended by the
6 FISA Amendments Act of 2008 (Public Law 110–261;
7 112 Stat. 2436), is amended by striking title VIII (50
8 U.S.C. 1885 et seq.).

9 (b) TECHNICAL AMENDMENT.—The table of contents
10 in the first section of the Foreign Intelligence Surveillance
11 Act of 1978 (50 U.S.C. 1801 et seq.), as amended by sec-
12 tion 202 of the FISA Amendments Act of 2008 (Public
13 Law 110–261; 112 Stat. 2471), is amended by striking
14 the items relating to title VIII.

○